

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
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UNITED STATES OF AMERICA,

-against-

ORDER
09-CR-192 (DRH)

JAVIER AREVALO,

Defendant.

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A P P E A R A N C E S:

For the Government:
Benton J. Campbell
United States of Attorney
One Federal Plaza
Central Islip, New York 11722
By: John J. Durham, A.U.S.A.

For Defendant:
Michael A. Young, Esq.
165 Christopher Street, Suite 2D
New York, New York 10014

HURLEY, Senior District Judge

This order pertains to the relief requested in the government's letter of October 3, 2009.

The July 31, 2009 declaration of the defendant, while not as detailed as it might be, is found to be sufficient to warrant a hearing as to the validity of defendant's mother's consent to the search of "his bedroom at his mother's house" (Gov't's Oct. 3, 2009 Letter to the Court, at 1), as well as the admissibility of defendant's purported post-search admissions.

The required suppression hearing is rescheduled, as requested by the government, from October 9, 2009 until October 21, 2009 at 10:30 a.m. Also on that date, the Court will hear

oral argument on the other items of relief sought by defendant in his August 3, 2009 Notice of Motion.

Dated: October 5, 2009
Central Islip, New York 11772

_____/s/_____
DENIS R. HURLEY, U.S.D.J.